



WEB COPY



W.P.Nos.9629, 9635 and 9640 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.08.2024

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.Nos.9629, 9635 and 9640 of 2021

W.M.P.Nos10208, 10212, 10216 of 2021

M/s Quality Lube Products Private
Limited

rep. By its Director, Shri Raja Ananthan
54/3, Soundarya Colony,
Annanagar (West)
Chennai – 600 101

...Petitioner in W.P.No.9629 of 2021

M/s Lubecon Petroproducts Pvt., Ltd.,
rep. By its Director,
Shri Raja Ananathan
54/3, Soudarya Colony,
Anna Nagar (West),
Chennai – 600 101

...Petitioner in W.P.No.9635 of 2021

Shri. Raja Ananthan
Director of M/s Quality Lube Products Private
Limited, 54/3, Soundarya Colony,
Annanagar (West)
Chennai – 600 101

...Petitioner in W.P.No.9640 of 2021

Vs

Joint Director,
Enforcement Directorate
Chennai Zonal Office,
2nd and 3rd Floor, Murugesu Naicker
Complex, No.84, Greaves Road,
Chennai – 600 006

...Respondent in W.P.Nos.9629 and
9640 of 2021



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Joint Director,
Adjudicating Authority
Enforcement Directorate
Chennai Zonal Office,
2nd and 3rd Floor, Murugesu Naicker
Complex,
No.84, Greaves Road,
Chennai – 600 006

...Respondent in W.P.No.9635 of 2021

Prayer in all the Writ Petitions: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari and call for the records pertaining to the impugned order no.JD/CEZO/Z-1/01/2021 dated 25.03.2021 passed by the respondent in F.No.T-4/7-Che/2017-ADE and quash the same.

For Petitioner :Mr.C.Manishankar, Senior Counsel for
Mr.Paul Kanagaraj

For Respondent :Mr.N.Ramesh
SPC

COMMON ORDER

Since the issues involved in all the petitions are one and the same, they are taken up together and a common order is being passed.

2. When the petitions are taken up for hearing, the learned senior counsel for the petitioner submits that without going into the merits of the matter, as against the impugned orders, effective appellate remedy is



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available before the Appellate Tribunal and seeks permission to file the appeal before the Appellate Authority. Furthermore, the period during which the Writ Petitions are pending before this Court may be excluded for the purpose of limitation. Also liberty may be granted to file a waiver application along with the appeal before the appellate authority and pleaded this Court to direct the respondent not to take any coercive steps.

3. The learned Counsel on the side of the respondent fairly submitted that there is no serious objections for the submissions placed by the learned senior counsel for the petitioner.

4. Considering the submissions of the learned Senior Counsel for the petitioner and the submissions of the learned counsel for the respondent, liberty is granted to the petitioner to file an appeal before the Appellate Tribunal under Section 19 of Foreign Exchange Management Act, 1999 within a period of four weeks. Furthermore, the period during which the Writ Petitions were presented before this Court ie., on 09.04.2021, till the date of receipt of certified copy of the order shall be excluded for the purpose of computing limitation. Further, liberty is granted to the petitioner file a waiver application along with the appeal before the



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appellate authority and the respondent is directed not to take any coercive steps for the period of four weeks.

The Writ Petitions stand disposed of with liberty as aforesaid.

Consequently, connected miscellaneous petitions are closed. No costs.

20.08.2024

Index: Yes/No;
Internet: Yes/No
Speaking order / non speaking order

Note: Registry is directed to return the Original Impugned orders dated 25.03.2021 to the petitioner.

ssd

To

1. Joint Director,
Enforcement Directorate
Chennai Zonal Office,
2nd and 3rd Floor, Murugesu Naicker
Complex, No.84, Greaves Road,
Chennai – 600 006
2. Joint Director,
Adjudicating Authority
Enforcement Directorate
Chennai Zonal Office,
2nd and 3rd Floor, Murugesu Naicker
Complex,
No.84, Greaves Road,
Chennai – 600 006

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M.DHANDAPANI,J.,

ssd

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